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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,895	11/19/2001	Jonathan J. Hull	015358-006500US	1059
20350	7590	03/22/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			BAUTISTA, XIOMARA L	
		ART UNIT	PAPER NUMBER	
			2179	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/001,895	HULL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	X. L. Bautista	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 February 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-30 and 37-78 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-30 and 37-78 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/9/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed February 03, 2006 have been fully considered but they are not persuasive.

A. Applicant argues, "Schelling does not show 'layout information' for specifying how to print first type of information...and specifying how to print second type of information in the multimedia document...the Office action asserted that 'computers have settings and layout information for printing documents, and it is... known that computers enable users to select a 'print preview' or 'print layout' for automatically generating printable representations for documents according to a layout...it is noted that the conventional 'print preview' feature in computers simply provides a user with a preview of the document that will be printed...There is not layout information that specifies how the first type and second type of information in a multimedia document are to be printed on the paper medium." (page 23, lines 2-11).

In response, claim 1 recites, accessing layout information specifying how the first type of information is to be printed on a paper medium and specifying how the second type of information is to be printed on the paper medium. Computers enable users to select a 'print preview' or 'print layout', wherein the user may select how the information is to be printed on the paper medium (portrait, landscape). The

claim does not recite, specifying how the content of the first type and second type of information is arranged on the document.

B. Applicant argues, "Lowitz...does not show layout information that specifies how the first type of information and second type of information is to be printed on the paper medium...the layout information of Lowitz is not directed to the contents of the video images...Lowitz does not identify a first type of information and a second type of information in the video images. The layout information of Lowitz thus does not specify 'how the first type of information is to be printed on a paper medium and...how the second type of information is to be printed on the paper medium..." (page 24, lines 1-8).

In response, Lowitz is relied upon its teaching of automatically generating index images. Lowitz discloses printing video images in a printable medium; analyzing images and selecting portions of frames as printable image data, which can be printed alone or with annotations, and page layout setup for allowing users to control how information is to be printed on a page of printable media.

C. Applicant argues, "Schelling does not discloses that...textual information 'is extracted from the multimedia information...Schelling does not teach that the textual information 'is extracted from the multimedia information occurring during the time span associated with the page." (page 24, second paragraph).

In response, Schelling discloses generating an index print for a multimedia

document having multimedia information (video, audio, image, text) of a first and second type. Schelling teaches that information such as duration of a sequence, date, and time of recording of data, etc. may be added to a subject matter descriptor. Lowitz is relied upon for its teaching of time information associated with a page or multimedia document and an identifier used to correlate a first type of information with a second type of information.

D. Applicant argues, "Lowitz...disclose...that information such as an index to identify a sequential location (e.g., time code) can be printed...none of these teachings read on the recited textual information extracted from the multimedia information occurring during the time span associated with the page...Lowitz does not teach extracting textual information from the multimedia information...Lowitz teaches printing an identifier or an index, neither of which is textual information extracted from the multimedia information. Lowitz does not teach the extraction of text from a time span in of the multimedia information." (page 24, last paragraph, line 5-page 25, line 2).

In response, Schelling discloses generating an index print for a multimedia document having multimedia information (video information, audio information, image information, text or textual information). Lowitz teaches index information for identifying a sequential location (time code) can be printed. Lowitz teaches time information associated with a page or multimedia document and identifiers used for

correlating a first type of information with a second type of information.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-7, 9, 11-16, 18, 19, 21-23, 25, 26, 30, 37-43, 45, 47-52, 54, 55, 57-59, 61, 62, 66-69, 71-75, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Schilling et al* (US 5,706,097) and *Lowitz et al* (US 5,485,554).**

**Claims 1, 11, 37, 47, 67, and 72:**

Schelling teaches a method of generating an index print (printable representation) for a multimedia document having multimedia information of a first type (video, audio, image, text) and a second type (text, image, audio, video), (abstract; col. 1, lines 58-67; col. 2, lines 1-20). Schelling does not specifically teach layout information for automatically printing the printable representation on a paper medium based on the layout (col. 3, lines 1-40) however, it is well known that computers have settings and layout information for printing documents, and it is also well known that computers enable users to select a “print preview” or “print

layout" for automatically generating printable representations for documents according to a layout. Schelling does not teach that the index images may be generated automatically. However, Lowitz discloses a method for printing video images on a printable medium. Lowitz explains that users are enabled to print single frames or selected sequences of a multiplicity of video images (col. 2, lines 6-62; col. 4, lines 8-12; col. 5, lines 61-67). Lowitz teaches that images can be analyzed and portions of frames can be selected as printable image data, which can be printed alone or together with annotations (abstract; col. 8, lines 56-64; col. 11, lines 44-67; col. 12, lines 1-20). Levitz teaches a page layout setup that allows users to control the size, position and format of video images that are to be printed on a page of printable media (col. 4, lines 8-25; col. 15, lines 5-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Schelling to include Lowitz's teaching of automatic generation of printable representations and layout information because users are provided with control for manipulating generation of a plurality of printable representations instead of one at a time which is useful when users have to organize multiple multimedia documents.

Claims 2, 38, and 68:

See claim 1. Schilling teaches users can select the text, graphics, frames, or sound sequences to be included in the index print. Schilling teaches that textual

information is generated relating the file such as file size or duration of the sequence (col. 3, lines 1-40). Levitz teaches different types of multimedia information such as text, audio, images, and video (col. 4, lines 8-25; col. 11, lines 44-67; col. 12, lines 1-20).

**Claims 3 and 39:**

See claim 2. Schilling teaches type indicator icons for indicating that the file contains a still image, sound sequence, video frames, text, etc., which enables the user to easily select the file he is interested in (col. 2, lines 43-67).

**Claims 4 and 40:**

See claim 3. Schilling teaches index codes such as sequence numbers, track numbers, title, etc. (col. 3, lines 1-40; col. 4, lines 58-67; col. 5, lines 1-5).

**Claims 5, 6, 41 and 42:**

See claim 3. Schilling teaches that users can select desired objects (first and second type), create a printable representation for a set of pages, and print them on a page or pages (col. 3, lines 1-40, 53-67; col. 4, lines 1-7).

**Claims 7, 43 and 69:**

See claim 1. Schelling teaches information such as video (key frames) information (abstract; col. 1, lines 58-67; col. 2, lines 1-20; col. 3, lines 1-40).

Claims 9, 18, 30, 45, 54, 66, 71 and 78:

See claim 1. Schelling teaches an indicator icon that indicates files containing sound and a text message describing the data file. Shelling illustrates text relating to (fig. 1) a sound recording (audio information) of a person's (i.e. Grandma's) voice (col. 2, lines 62-67; col. 3, lines 10-29).

Claims 12-16, 19, 21, 22, 48-52, 55, 57, 58, 73 and 74:

See claim 1. Schelling teaches that information such as file size or duration of a sequence, date and time of recording of data, etc. may be added to the subject matter descriptor (col. 3, lines 7-25; col. 4, lines 9-21; fig. 5). Schelling teaches user-selectable identifier on the index print for each image printed on the index, wherein the identifier enables user access to multimedia information (col. 2, lines 54-67; col. 4, lines 57-67; col. 5, lines 13-14). Lowitz teaches time information associated with a page or multimedia document (col. 4, lines 15-25, 42-45, 63-67; col. 5, lines 1-7; col. 15, lines 1-13). Lowitz teaches that an identifier is used to correlate a first type of information with a second type of information (abstract; col. 8, lines 24-55; col. 11, lines 3-67; col. 12, lines 1-20).

Claims 23, 25, 59, 61 and 75:

See claim 12. Schelling teaches still image information and other information such as file size or duration of a sequence, date and time or recording of the data, etc. (col. 3, lines 7-25; col. 4, lines 9-21).

Claims 26 and 62:

See claims 3 and 9. Schelling teaches type indicators (identifiers) printed proximal to an image and/or text information (fig. 1).

**4. Claims 8, 17, 20, 27-29, 44, 53, 56, 63-65, 70, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Schelling/Lowitz* and *Gibbon et al* (US 6,098,082).**

Claims 8, 17, 44, 53 and 70:

See claims 1, 7 and 12. Schelling/Lowitz does not teach that the multimedia document includes printed closed-caption text information. However, Gibbon discloses a method for providing a compressed rendition of a video program in a format suitable for electronic searching and retrieval on the WWW. Gibbon teaches pictorial transcripts that are compact representations of video programs which are automatically generated by selecting representative frames or images from the video program and combining them with a second media component such as audio or text which is associated with each representative frame (abstract; col. 1, lines 55-67; col. 2, lines 1-15; col. 3, lines 10-15). Gibbon teaches that a printed rendition of closed-captioned text may be provided. The printed rendition is a pictorial transcript in which each representative frame is printed with a caption containing the portion of the closed-caption text corresponding to the scene from which the

representative frame is taken (col. 3, lines 16-22). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Schilling/Lowitz to include Gibbon's teaching of printing closed-caption text because it provides a printable visual presentation of the sound associated with the image (frame) of interest; therefore, close captioning is not only visible on a TV receiver designed to display it but it is also visible when being printed on paper.

Claims 20, 27, 56, 63 and 77:

See claims 8 and 12. Schelling teaches that information such as file size or duration of a sequence, date and time or recording of data, etc. may be added to the subject matter descriptor (col. 3, lines 7-25; col. 4, lines 9-21; fig. 5). Gibbon teaches closed caption text information (col. 3, lines 16-22).

Claims 28, 29, 64, and 65:

See claims 8, 9 and 12. Gibbon teaches a pictorial transcript, which has three sequential images without any intervening captions (fig. 2a; col. 8, lines 15-16).

5. **Claims 10 and 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Schelling/Lowitz/Gibbon* and *Geaghan et al* (US 6,098,082).**

Claims 10 and 46:

See claim 8. Schelling/Lowitz/Gibbon teaches a printed index having text, graphic, video, audio information, and closed caption information but does not teach

whiteboard information. However, Geaghan discloses an electronic whiteboard with multifunctional user interface that enables users to create, retain and review information (abstract; col. 1, lines 52-67; col. 2, lines 1-13; col. 31, lines 55-62). Geaghan teaches that users can print images and notations from a whiteboard (col. 1, lines 38-49; col. 32, lines 7-12). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Schelling/Gibbon's system of printing multimedia information to include printable whiteboard information because users are enabled to print any images or notations created by multiple users across a network.

6. **Claims 24, 60 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Schelling/Lowitz* and *Geaghan*.**

**Claims 24, 60 and 76:**

See claims 10 and 12. Schilling/Lowitz teaches time range and Geaghan teaches printing of whiteboard images and notations (Geaghan: col. 1, lines 38-49; col. 32, lines 7-12).

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

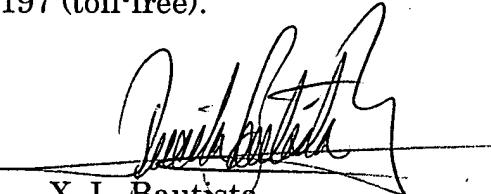
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X. L. Bautista  
Primary Examiner  
Art Unit 2179

xlb  
March 16, 2006